



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: October 21, 2015

Sponsored by Council Members: Papastrat, Mihalko, Berg, Matzo

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION APPROVING A FAÇADE
LOAN IN THE AMOUNT OF \$100,000 AND A
SPECIAL PROJECT LOAN IN THE AMOUNT OF
\$250,000 TO FDG REAL PROPERTY
HOLDINGS, LLC TO ASSIST WITH THE
RENOVATION OF 73 COURT STREET AND
THEREBY FACILITATE DEVELOPMENT OF A
FUTURE MIXED USE RESIDENTIAL PROJECT

WHEREAS, the Binghamton Local Development Corporation ("BLDC") has approved a façade loan in the amount of \$100,000 and a special project loan in the amount of \$250,000 to FDG Real Property Holdings, LLC to assist with renovation of 73 Court Street for a mixed use residential project; and

WHEREAS, BLDC Resolution 15-16 adopted on August 27, 2015, setting forth the terms and conditions of such loan is annexed hereto and made a part hereof; and

WHEREAS, Council is required to approve any loan in excess of \$25,000.00 by the BLDC.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE, that the Council approves and authorizes the BLDC to give a façade loan in the amount of \$100,000 and a special project loan in the amount of \$250,000 to FDG Real Property Holdings, LLC to assist with renovation of 73 Court Street for a mixed use residential project; and be it further

RESOLVED, that the BLDC Resolution 15-16 adopted on August 27, 2015, setting forth the terms and conditions of such loan is annexed hereto and made a part hereof, and that such loan is further subject to (i) the amount of \$100,000 from the special project loan will be released at the loan closing; (ii) the façade loan in the amount of \$100,000 and the balance of the special project loan in the amount of \$150,000 will be released after the total construction loan from Tioga State Bank has been released and only to reimburse FDG Real Property Holdings, LLC as additional construction is completed; (iii) an existing loan from the BLDC to FDG Real Property Holdings, LLC in the original amount of the \$24,500 must be paid prior to issuance of a certificate of occupancy; and (iv) such other terms and conditions as Corporation Counsel may find necessary or proper, including personal guarantees of the principals.

Introductory No. R15-106

Permanent No. R15-105

Sponsored by City Council Members:
Papastrat, Mihalko, Berg, Matzo

A RESOLUTION APPROVING A FAÇADE LOAN IN
THE AMOUNT OF \$100,000 AND A SPECIAL PROJECT
LOAN IN THE AMOUNT OF \$250,000 TO FDG REAL
PROPERTY HOLDINGS, LLC TO ASSIST WITH THE
RENOVATION OF 73 COURT STREET AND THEREBY
FACILITATE DEVELOPMENT OF A FUTURE MIXED
USE RESIDENTIAL PROJECT

The within Resolution was adopted by the Council of
the City of Binghamton.

11/4/15
Date
[Signature] (Deputy)
City Clerk

11/5/15
Date Presented to Mayor

11/5/15
Date Approved
[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage		✓		
Mihalko	✓			
Rennia		✓		
Webb		✓		
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	4	3	0	0

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated

4 Ayes 3 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 11/4/15. Approved by the
Mayor on 11/5/15.

[Signature] (Deputy)

Binghamton Local Development Corporation

RESOLUTION 15-16

August 27, 2015

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BINGHAMTON LOCAL DEVELOPMENT CORPORATION (BLDC) APPROVING A SPECIAL PROJECT LOAN TO FDG REAL PROPERTY HOLDINGS, LLC IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) AND A FAÇADE LOAN IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) BOTH WITH AN AMORTIZATION OF 240 MONTHS AND A TERM OF 120 MONTHS TO ASSIST WITH THE RENOVATION OF 73 COURT STREET AND THEREBY FACILITATE DEVELOPMENT OF A MIXED-USE RESIDENTIAL PROJECT.

WHEREAS, FDG Real Property Holdings, LLC has submitted an application for gap financing through Binghamton Local Development Corporation (BLDC) to provide capital for the renovation of 73 Court Street; and

WHEREAS, said loan application meets all eligibility requirements set forth by the 2015 Binghamton Local Development Corporation Comprehensive Pricing and Underwriting Standards, Facade and Special Projects Loan Program subject to the payment schedule; and

WHEREAS, the borrower demonstrates adequate cash flow to support the loan; and

WHEREAS, the BLDC Finance Committee has reviewed the application and recommend the project for approval; and

WHEREAS, said loan shall be funded from miscellaneous repayments to the City of Binghamton Community Development Block Grant (CDBG) fund; and

WHEREAS, the New York State Environmental Quality Review Act (SEQR) requires all local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making; and

WHEREAS, the project approved under this program is not likely to have a significant impact on the environment and will require further review by the City of Binghamton Planning Department;

NOW, THEREFORE; the Board of Directors of the Binghamton Local Development Corporation, duly convened at a regular meeting hereby does:

RESOLVE, that a Special Project Loan to FDG Real Property Holdings, LLC in the amount of Three Hundred Fifty Thousand Dollars (\$250,000.00) with an amortization of 240 months and a term of 120 months at Prime Rate less 0.5% (2.75%); after 5 years to be set at prime even and each fifth year thereafter, and be it further

Binghamton Local Development Corporation

RESOLVED, that a Façade Loan to FDG Real Property Holdings, LLC in the amount of One Hundred Thousand Dollars (\$100,000.00) with an amortization of 240 months and a term of 120 months at Wall Street Journal Prime rate, and be it further

RESOLVED, that the note and terms of said loan together with the loan collateral shall be based on an agreed-upon drawdown schedule for physical improvements to the property approved by the City in the narrative attached hereto; and be it further

RESOLVED, that the Executive Director of the BLDC shall gain the approval of Binghamton City Council for this loan; and be it further

RESOLVED, that after approval from the Binghamton City Council the Executive Director of the BLDC is hereby authorized and empowered to transmit a letter of commitment to said applicant.

I, Ron Sall, hereby certify the above resolution was approved by the Binghamton Local Development Corporation at regular meeting held on August 27, 2015.



Ron Sall, Secretary

Binghamton Local Development Corporation